

REMARKS

The examiner stated in the June 13, 2007, Office communication that the applicants' prior reply filed March 19, 2007, was not responsive for not including arguments specifically directed toward the rejections under 35 U.S.C. §103(a).

There are three independent claims in this application, 1, 17 and 30. The independent claims were rejected under 35 U.S.C. §102(b) as anticipated by Paetzel (US Patent Number 4,671,321). The applicants previously presented arguments submitting that Paetzel does not anticipate any of claims 1, 17 and 30 or any dependents therefrom because nowhere within Paetzel is there an express or inherent teaching of combining fluid flow at the outer surface of the pipes.

Claims 4, 26 and 39 are rejected under 35 U.S.C. §103(a) as obvious over Paetzel. Claim 4 depends from claim 1, claim 26 depends from claim 17, and claim 39 depends from claim 30. Because Paetzel does not include every element of the claims from which claims 4, 26 and 39 depend, Paetzel does not include every element of claims 4, 26 and 39. The remaining art of record fails to cure this deficiency. Thus, none of claims 4, 26 or 39 can be rendered obvious by any combination of the art of record.

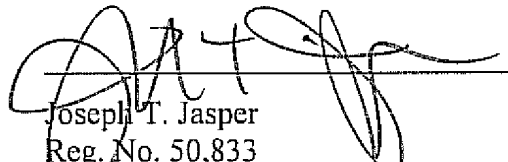
It is basic and well documented law that "[t]o establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." M.P.E.P. 2143.03 (emphasis added). "All of the words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Royka*, 490 F.2d 981 (C.C.P.A. 1974) (emphasis added).

CONCLUSION

For the reasons stated above, the applicants submit that the specification and claims are in proper form and clearly define patentable subject matter with respect to the prior art. If there are any additional fees or refunds required, the Commissioner is directed to charge or debit Deposit Account No. 50-2455 of Hanley, Flight & Zimmerman, LLC.

Respectfully submitted,

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